

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

**ROCHESTER GAS AND ELECTRIC,**

**Plaintiff,**

**v.**

**GPU, INC.,**

**Defendant.**

**ORDER  
00-CV-6369**

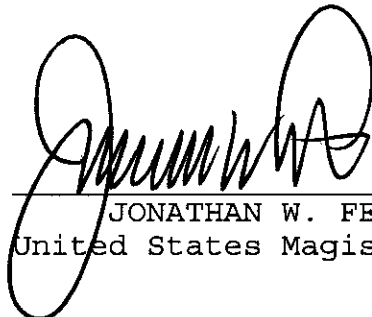
US DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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Pending before the Court is defendant's motion for a protective order to quash a deposition subpoena served by plaintiff on the records keeper for Cornell University. (Docket #221). The testimony of the records keeper will greatly assist this Court in determining a significant pre-trial issue: whether the documents that have been maintained by Cornell University for several decades can be authenticated as ancient documents under the Federal Rules of Evidence and therefore be admitted into evidence at trial. Accordingly, defendant's motion is hereby **denied**.

**SO ORDERED.**

  
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JONATHAN W. FELDMAN  
United States Magistrate Judge

Dated: October 18, 2007  
Rochester, New York